

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 2:09CR155

MELVIN LAMONT JENKINS

ORDER

This cause is before the Court on the defendant's Motion for Continuance [16]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

Counsel for defendant avers he needs additional time to review discovery materials, to conduct necessary investigative activities, to file appropriate pretrial motions, to meet with defendant and counsel for the government and to continue plea negotiations. The government has no objection to the relief requested in the instant motion. Based on the foregoing, the Court finds that the defendant's Motion for Continuance is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(7)(A), the period of delay from January 25, 2010 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford defendant a reasonable time for adequate and effective preparation of his defense. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance [16] is GRANTED;
2. That the trial of this matter is continued until Monday, April 5, 2010 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from January 25, 2010 until April 5, 2010 is excluded as set out above;
4. That the deadline for filing pretrial motions is March 15, 2010;
5. That the deadline for submitting a plea agreement is March 22, 2010.

SO ORDERED, this the 13th day of January, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE